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SUBJECT: PRESS FREEDOM UPDATE

REF: A. CARACAS 01054
[1](#)B. CARACAS 01086
[1](#)C. CARACAS 01068
[1](#)D. CARACAS 01062
[1](#)E. CARACAS 01055
[1](#)F. CARACAS 01033

CARACAS 00001127 001.2 OF 004

Classified By: POLITICAL COUNSELOR ROBERT RICHARD DOWNES
FOR REASON 1.4 (D)

[1](#)1. (C) Summary. This press freedom update comes on the heels of the BRV-imposed May 28 shutdown of Radio Caracas Television (RCTV). Despite ceasing its broadcasts, RCTV continues to operate internally and is enduring for the moment, although recent Supreme Court (TSJ) rulings could jeopardize RCTV's control over its technical equipment. Meanwhile, the BRV persists in harassing independent broadcasters and local journalists. Far from persuading the BRV to back off its campaign to intimidate and restrict an independent media, sustained local and international criticism over RCTV's closure appears to have goaded the BRV into threatening press freedom even more. End Summary.

[1](#)2. (SBU) Topic addressed in this press freedom update include:

- RCTV's Closure
- RCTV-related Marches
- RCTV's Legal Limbo
- BRV Attacks News Networks
- OAS on RCTV
- Telesur Moves to Public Access
- Attacks on Journalists
- International Criticism Continues

RCTV: End of an Era

[1](#)3. (SBU) The BRV made good its threat to close Radio Caracas Television (RCTV). After 53 years on the air, RCTV, Venezuela's oldest and most popular network, ceased broadcasting at midnight May 28 and was replaced by state-run, "public service" station TVes (Ref. A). A few minutes before midnight, RCTV broadcast taped footage of RCTV employees singing the national anthem, after which the screen went blank for less than a minute until TVes' logo appeared. Approximately twenty minutes after RCTV went off the air, TVes broadcast live from the Teresa Carreno National Theatre. Lil Rodriguez, local music critic and newly appointed

president of TVes, addressed the crowd, ushering in a "new era" in Venezuela television. TVes reports to the Ministry of Popular Power for Communications and was issued a USD 4 million budget to begin operating, although the station is supposed to progressively become self-sufficient. Currently, the station is can only be seen in Caracas and Maracaibo, even though the BRV originally announced it would be broadcast nationwide.

¶4. (SBU) In a press conference hours before the shutdown, RCTV president Marcel Granie characterized the BRV's decision as "arbitrary and illegal." He accused the BRV of harassing prospective cable television providers into not signing agreements with RCTV, despite statements by government officials that RCTV would have the option of broadcasting via cable television.

¶5. (SBU) In response to the shutdown, RCTV is transmitting some segments via alternative media and international affiliates, albeit to a more limited audience. RCTV's news department, for example, uploads three daily hour-long installments of its news program "El Observador" on YouTube.com, a popular video web site. Additionally, RCTV's Colombia-based affiliated, Caracol, transmits the evening addition of "El Observador" over its international signal and has the capacity to reach over 800,000 viewers in Venezuela.

Marches and Criticism Abound

¶6. (SBU) The BRV is paying a high domestic and international price for its decision not to renew RCTV's broadcasting license. Pro-RCTV marches have continued daily since May 27 as university students and other RCTV supporters have convoked widespread protests (Ref. B, C, D, E). Security

CARACAS 00001127 002.2 OF 004

forces used water cannons, tear gas, and rubber bullets to disperse demonstrators on March 27-29, resulting injuries and arrests. Student-led protests, particularly in Caracas, are expected to continue. Numerous legislatures, international groups, human rights organizations, and media watchdogs have criticized the BRV's decision to close RCTV and have questioned the BRV's commitment to freedom of expression.

¶7. (SBU) The BRV has organized rallies in support of RCTV's closing, including those on May 27 and June 2. President Chavez and Foreign Minister Maduro, among other BRV officials, regularly accuse protesters of conspiring with the opposition to "destabilize" Venezuela and are threatening other independent media with RCTV's fate if they do not toe the BRV line.

Legal Limbo

¶8. (SBU) Despite going off the air, RCTV's legal tribulations with the BRV continue. The Supreme Court's (TSJ's) Constitutional Chamber ruled May 25 that CONATEL has the right to use RCTV's technical equipment and antennas necessary for over-the-air broadcasting. According to the court, the telecommunications regulatory agency (CONATEL) can temporarily transfer the rights of the equipment to the television network of its choice. The TSJ's ruling came only 24 hours after the BRV petitioned to gain the rights to RCTV's broadcasting equipment. On May 26, the National Guard took physical control of RCTV's transmission towers, but did not interrupt transmission. Local newspaper "La Verdad" reported June 5 that unless RCTV recovers or buys back some of the equipment recently taken over by CONATEL, the network will not be able to operate via cable television.

¶9. (SBU) Separately, the TSJ's Political and Administrative

Chamber agreed May 23 to review RCTV's request to abrogate the BRV's decision to not renew the license. Minister of Popular Power for Telecommunications Jesse Chacon suggested May 28 the Chamber could deem RCTV's technical equipment "necessary for public use," in the event that the Chamber rules in the government's favor on RCTV's pending court case. Chacon argued that RCTV's equipment had "no other use" than to broadcast nationwide and suggested the hardware could be used by TVes. Chacon added that the state would compensate RCTV by offering to pay what the equipment was worth in 1994.

BRV Attacks Cable News Networks

¶10. (SBU) Minister of Popular Power for Communications William Lara called a May 28 press conference to accuse U.S. news network CNN and local cable network Globovision of mounting an international campaign of misinformation against the BRV, and asked the Attorney General's Office to investigate both networks. Lara alleged CNN tried to associate Chavez with a suspected al Qaida terrorist by showing the two in split-screen footage some months ago. CNN has since issued a statement denying that it intended to associate Chavez with al Qaida and regretted any confusion. Lara also accused CNN en Espanol of airing images of marchers commemorating World Press Freedom Day in Acapulco, Mexico, but presenting them as RCTV solidarity marches in Caracas. Lara then attacked Globovision's interview with Marcel Granier and accused it of being laced with subliminal messages. He in particular referred to a segment which ran a salsa hit, "This is not over yet," with video of the 1981 assassination attempt on Pope John Paul II, calling it an incitement to assassinate President Chavez. Globovision denies the charges. The Attorney General summoned Globovision President Alberto Federico Ravell and popular talk show host Leopoldo Castillo to answer questions on June 6 and 7, respectively, in response to Lara's accusation.

OAS on RCTV

¶11. (SBU) The Inter-American Commission on Human Rights (IACHR) petitioned the BRV to provide detailed biographical information on the individuals injured and detained during recent pro-RCTV demonstrations. While attending the OAS' General Assembly meeting in Panama City, Human Rights Ombudsman German Mundarain told the press that the BRV would

CARACAS 00001127 003.2 OF 004

not comply with IACHR's request because such a report would "violate the interests and confidentiality of minors." Mundarain then accused the IACHR of assuming functions outside of its area of responsibility, and noted that the BRV's judicial system had primary responsibility over those detained.

¶12. (SBU) The Inter-American Human Rights Court admitted May 24 a case filed by the IACHR on behalf of RCTV workers and journalist against the BRV for "violating freedom of expression and for failing to provide judicial protection to RCTV workers and journalists." In response to the Court's decision, President Chavez threatened again on May 29 to withdraw from the OAS if the international body took a position on the case. The Commission recommended the case to the Court April 20.

Radio Broadcasting Licenses Expire

¶13. (SBU) The broadcast licenses of 156 local AM frequency radio stations expired May 27. The local press reports that only five of those licenses were renewed by CONATEL. The

remaining stations continue to broadcast without a license as CONATEL reviews the concessions "a few at a time." Radio broadcasters have reason to believe concessions will only be renewed for five years instead of 20 years as has been the case in the past. The licenses of the 270 FM frequency radio stations expire in 2008.

Telesur To Take Channel 5

¶14. (SBU) Andres Izarra, President of domestic and international pro-BRV station Telesur and an outspoken critic of RCTV, gave a May 15 press conference and announced the network will be adding a third channel to the two current Telesur channels (one international cable channel, one domestic free-to-air) in August. Telesur will broadcast via channel 5, a frequency now controlled by Vale TV, a network with ties to the Venezuela Catholic Church, once the turnover is complete. The BRV's telecommunications regulatory agency (CONATEL) authorized the move after undertaking a bidding process for access to channel 5, Izarra told reporters.

Attacks on Journalists

¶15. (SBU) As noted in earlier reporting, Amcit Eva Golinger, held a press conference May 25 in Caracas and released the names of a handful of mostly pro-opposition journalists who have benefited from the International Visitors (IV) Program (Ref. F). The BRV has attempted to discredit these journalists by falsely alleging they work on behalf of the USG. Golinger repeated these accusations on "La Hojilla", a Chavista attack show on a government run television station.

¶16. (SBU) Columnist Nelson Alvarez of "El Siglo" newspaper in Aragua state was shot six times in his home May 20. Alvarez' family speculated that he was the victim of a contract killing in retaliation for his investigatory journalism.

¶17. (C) Separately, veteran journalist Marietta Santana was reportedly fired from television network, La Tele, for her participation in the April 21 RCTV solidarity march. She worked for La Tele since 2002 and previously with RCTV for over 20 years. Santana attended the march to express her solidarity with the station's workers and simply planned to march. However, she was quickly recognized by former RCTV colleagues and asked to give a speech. Her show was subsequently canceled and she was dismissed April 29, allegedly for "programming modifications." Santana told Poloff May 10 that to avoid problems with the BRV, management at La Tele had repeatedly asked their staff to exercise "caution" in their reporting. Santana said the policy greatly affected La Tele's reporting style, most visible in the station's testimonial-based programs and increased coverage of BRV initiatives. She referred to the policy as a form of "complete self-censorship." Following the incident, Santana returned to work for RCTV.

Sustained Criticism of BRV over RCTV

CARACAS 00001127 004.2 OF 004

¶18. (SBU) More than a week after RCTV's closure, international support for the network continues as criticism for the BRV's decision solidifies.

-- Reporters without Borders, a prominent international media watchdog organization, released a June 5 report on RCTV's closure and indicated the organization's intention to refer RCTV's case to United Nations' Human Rights Council during its next session in Geneva June 11-18. Similarly, it plans to refer the case to the IACHR and to the OAS' Special

Rapporteur for Freedom of Expression.

-- The local press gave considerable coverage to Secretary Rice's June 4 request that the OAS investigate RCTV's closure and present its findings before the inter-American body.

-- In Panama, television networks expressed their support for RCTV by broadcasting June 4 three minutes of silence in the morning and then again in the evening. Meanwhile, newspapers included a blank page covered in black ink to signify their mourning over RCTV's closure.

-- During a meeting between civil society organizations and Secretary General of the OAS, Jose Miguel Insulza, June 2 at

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General Assembly meeting in Panama City, these organizations asked Insulza to issue a response to Chavez' decision not to renew RCTV's broadcasting license. Similarly, group of Venezuelan journalists delivered a petition to Insulza, requesting the OAS to act in the RCTV case.

-- New Generations, the youth wing of the conservative Spanish Popular Party (PP), called for a demonstration in front of the Venezuelan Embassy in Madrid June 5 to protest Chavez' decision to close RCTV. In a June 4 press release, Nacho Uriarte, president of Nuevas Generaciones, noted, "Spanish youth can't look the other way while freedom of expression is being restricted in Venezuela." PP leaders also intend to show their solidarity with Venezuelan university students, the main protagonist of the recent RCTV solidarity marches.

Comment

¶19. (SBU) The BRV's recent closure of RCTV in the face of overwhelming domestic and international censure - demonstrates Chavez is capable and willing to punish those he considers dissenters, despite public and international opinion. RCTV's fate leaves only independent cable station Globovision on the air and with a limited audience. Even so, the regime makes no secret that its unlikely to tolerate even Globovision's independence. The station's days may be numbered as the BRV continues to push back against it and any and all independent media which dare challenge the government's policies and actions.

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